



03-13-06

IFW 1635#

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/930,503  
Applicant : James Henry et al.  
Filed : August 16, 2001  
TC/A.U. : 1635  
Examiner : Jon Ashen  
Docket No. : 4964MU-1  
Customer No. : 22442

Confirmation No. 1568

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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TYPED OR PRINTED NAME: Christine Jacquet

SIGNATURE: Christine Jacquet**Response to Restriction Requirement**

Sir,

This Response is filed in reply to the Office Action mailed September 9, 2005. A request for a five month extension of time to extend the time for response from October 9, 2005 to March 9, 2006 is being submitted herewith, along with the requisite fee.

The Examiner has previously imposed a restriction requirement under 35 U.S.C. § 121 between five groups. In response, Applicants elected the Examiner's Group I (Claims 2-4, 6-21, 36-38, 40-42, 44-56, 71-90, 106 and 109-125), without traverse, while reserving the right to file one or more divisional or continuation applications directed to the subject matter described in the non-elected claims. That Response was held to be not fully responsive as an election of one of the nucleotide species set forth in sections 15-17 of the Office Action mailed June 10, 2004 was not chosen.

Applicants hereby reiterate their election of the Examiner's Group I, as described above and further elect SEQ ID NO: 41 [agg agg aag aag atg tgg aa] which is complementary to at least

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*Amdt. dated March 9, 2006*

*Reply to Office Action mailed September 9, 2005*

a portion of each of SEQ ID NOs: 2, 4, 6 and 8 and is one of the SEQ ID NOs recited in each of Claims 8, 24, 41 and 76. Applicants believe that this supplemental election satisfies the full scope of the restriction requirement appearing in the Office Action having a mailing date of June 10, 2004.

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,  
SHERIDAN ROSS P.C.

By: Robert D. Traver

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Date: 9 March 2006